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ASHEVILLE, N.C.

JUN 23 2005

Clerk, U. S. District Court
W. Dist. of N. C.

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION

FILED
ASHEVILLE, N. C.

JUL - 5 2005

U.S. DISTRICT COURT
W. DIST. OF N. C.

UNITED STATES OF AMERICA
upon the relation and
for the use of the
TENNESSEE VALLEY AUTHORITY
Plaintiff

v.

Civil Action No. 2:05cv206

AN EASEMENT AND RIGHT-
OF-WAY OVER 0.43 ACRE OF
LAND, MORE OR LESS, IN
CHEROKEE COUNTY,
NORTH CAROLINA

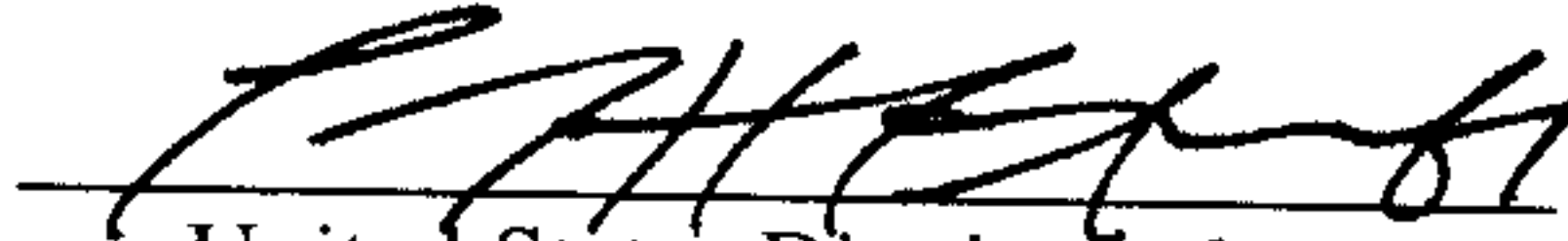
SILVIO C. RUSSO, ET UX.
Defendants

ORDER OF POSSESSION

Pursuant to 40 U.S.C. § 258a (2000), which authorizes the Court
“to give the Government immediate possession of the [condemned] property”
(*United States v. Miller*, 317 U.S. 369, 381, 63 S.Ct. 276, 87 L.Ed. 336 (1943)), it
is hereby Ordered that the Tennessee Valley Authority, as agent of the United
States of America, be put into immediate possession of the property described in
the Declaration of Taking filed in this action to the extent necessary to permit the
Tennessee Valley Authority to carry on any of its operations described in the

pleadings filed herein, and that the Defendants in such action surrender possession of the said property to the Tennessee Valley Authority accordingly.

This 5th day of ~~May~~ July, 2005.


United States District Judge

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